

Little Spokane Watershed, WRIA 55

This focus sheet provides information on the availability of water for new uses in the Little Spokane watershed. This information provides a starting point for potential water users in determining the best strategies for securing water for a future project or proposal in this area.

February 2015 update: The Dept. of Ecology adopted an instream flow rule to protect the Spokane River, effective Feb. 27, 2015. This rule (WAC 173-557) applies to areas that overlap with the existing rule for WRIA 55, which was adopted in 1976. A small amendment to the WRIA 55 rule clarifies how each rule applies to new uses of water in common areas.

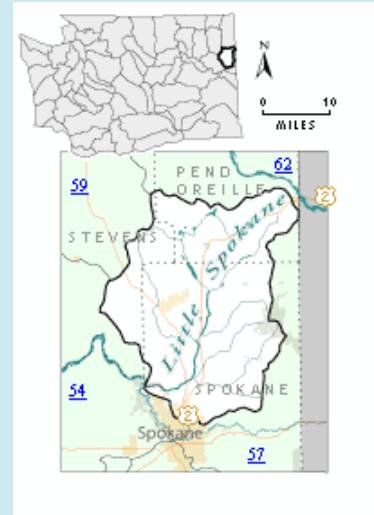
The Little Spokane Watershed located in eastern Washington includes the Little Spokane River and its numerous tributary creeks and streams. The annual precipitation in the watershed ranges from 17 inches per year where it joins with the Spokane River in the City of Spokane to 40 inches in the higher mountainous areas. Only a fraction of this precipitation becomes available for human and economic uses.

Most of the precipitation arrives during the winter months, when water demands are the lowest. During the summer, the snowpack is gone, there is little rain, and naturally low stream flows are dependent on groundwater. This means that groundwater and surface water are at their lowest when water demands are the highest.

Much of the water in the Little Spokane Watershed has already been “spoken for” (appropriated). Increased demands from population growth, declining groundwater levels, and impacts from climate change are adding to the challenge of finding new water supplies in WRIA 55, especially during the summer months.

Factors affecting water availability

In 2004, the U.S. Bureau of Reclamation (BOR) filed notice with the Department of Ecology (Ecology) that the U. S. intends study the possible use of unappropriated waters of the Columbia River and its tributaries above Priest Rapids Dam (see RCW 90.40.030). The withdrawal of these waters from future appropriations is currently in effect until December 23, 2017, to allow for continued investigation of the Yakima River Basin Integrated Water Resources Management Plan.



Definitions

Adjudication: A legal process conducted through a superior court to determine the extent and validity of existing water rights.

Appropriation (of water): The process of legally acquiring the right to use specific amounts of the public water resource for beneficial uses. Water rights (appropriations) are the right to use water, not own the water, and have specific conditions attached.

Consumptive use: A use of water that diminishes the amount or quality of water in the water source (as opposed to **nonconsumptive**, a use that does not reduce the water source).

Instream flows: Flow levels adopted into a rule that create a water right for the stream to protect fish, wildlife, stock watering, recreational uses, and other instream uses and values. Instream flows are a regulatory threshold, and do not require any specific flow to be maintained in the river.

Mitigation plan: A scientifically-sound plan intended to avoid impairment to existing water rights or capturing water from a closed source.

All new applications for surface water, and groundwater connected to surface water, within WRIA 55 cannot be processed until a release from the BOR is obtained or the withdrawal has expired.

Adjudications

Deadman Creek and Bigelow Gulch are completed adjudications within WRIA 55. In general, most of the water in these adjudicated basins has been appropriated and new appropriations are not available.

Groundwater

The availability of groundwater from bedrock in this WRIA is very limited by climate and geology. Groundwater withdrawals directly affect flows in the river. In the lower reaches of the Little Spokane Watershed, the aquifers for the Spokane Valley Rathdrum Prairie (SVRP) and the Little Spokane overlap. The shallower aquifer is connected to the Little Spokane River and the deeper aquifer, the SVRP, is connected to the main stem Spokane River. The availability of new appropriations in this area depends on which water source (aquifer) is being accessed.

Surface water

The Little Spokane Watershed already has an instream flow regulation (WAC 173-555) to protect senior water rights, maintain the current basin ecosystem, and to meet further water resource management objectives established by that rule. The WRIA 55/57 Planning Unit developed a joint watershed plan for the Little Spokane River (WRIA 55) and the Middle Spokane (WRIA 57) watersheds.

- Ecology has determined that no water is available for further consumptive uses in streams and lakes tributary to the Little Spokane River. Therefore, all tributary streams within the basin are closed to further consumptive appropriation.
- When WAC 173-555 was adopted, it was determined that water was available (in a limited reserve) for portions of the Little Spokane River. A significant number of water rights were issued after that date against this reserve, with a restriction that required new water uses to stop during low flow periods. In the last decade, these rights have been regulated (interrupted) almost every year during the low flow periods. This indicates that all of the water has been appropriated and no water is available for new consumptive uses.
- The appropriation of groundwater connected to surface water is subject to the same conditions as surface water uses.

Water supply available for new uses

The Little Spokane Watershed is generally closed to new consumptive water uses from surface water and connected groundwater. Applications for single in-house domestic use or stock watering may be approved if the proposed use will not impair existing water rights. The groundwater permit exemption allows certain users of small quantities of groundwater (most commonly, single residential well owners) to construct wells and develop their water supplies without obtaining a water right permit from Ecology. However, water rights developed through the permit exemption are not exempt from state

water law or the water right seniority system and could be regulated (interrupted) during future drought periods. For more information about the groundwater permit exemption, refer to

<https://fortress.wa.gov/ecy/publications/summarypages/fwr92104.html>

The Office of Columbia River (OCR) is aggressively pursuing water supply development opportunities throughout the Columbia Basin. You can find additional information at the OCR Web site at:

www.ecy.wa.gov/programs/wr/cwp/crwmp.html.

Additional options for finding a water supply include:

- Connecting to an established water supplier. This is the fastest and simplest option.
- Processing a change application (obtaining an existing water right with an effective date prior to 1976) with the Spokane County Water Conservancy Board.
- Processing an application through the Cost Reimbursement Program.
<https://fortress.wa.gov/ecy/publications/SummaryPages/0511016.html>. You will likely need to develop a mitigation strategy to offset any impacts the water use will have on surface waters.

For more information on these and other options, refer to “Alternatives for Water Right Application Processing” <https://fortress.wa.gov/ecy/publications/SummaryPages/1111067.html>.

Pending water right applications in this watershed

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” Applications for water from the same source must be processed in the order they are received. Use of water is likewise determined by the seniority system, senior (older) water right holders get their water right fulfilled before junior (newer) users.

Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal.

- Apply for a New Water Right
<http://www.ecy.wa.gov/programs/wr/rights/newrights.html>
- Apply to Change or Transfer a Water Right or Claim
http://www.ecy.wa.gov/programs/wr/rights/change_transfer_use.html

The map on the last page of this document includes the WRIA boundaries and where SWSLs are in effect. Other information sources to assist with your research include:

- Locate and research water rights on land parcels anywhere in the state (Water Resource Explorer)
<http://www.ecy.wa.gov/programs/wr/info/webmap.html>
- Pending Water Right Applications by County
<http://www.ecy.wa.gov/programs/wr/rights/tracking-apps.html>
- Subscribe to a water right application RSS feed for a county or WRIA
http://www.ecy.wa.gov/programs/wr/rights/wr_app_rss.html

- WRIA map showing the total number of water right claims, certificates, permits and applications
<http://www.ecy.wa.gov/programs/wr/rights/Images/pdf/waterright-wria-maps.pdf>
- Search and view well reports using a variety of search tools
<https://fortress.wa.gov/ecy/waterresources/map/WCLWebMap/default.aspx>

For more information

The rule and rulemaking process: <http://www.ecy.wa.gov/programs/wr/rules/557-ov.html>

Regional watershed planning, information and rule implementation: <http://spokanewatersheds.org/>

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